THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8622 of 2007

09.7.2007

Between:

Mohd. Latheef, S/o.Mohd. Rehamuddeen

… Petitioner

AND

The District Collector, Ranga Reddy District, Khairatabad, Hyderabad And others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8622 of 2007

ORDER:

The petitioner is an Ex-serviceman. In 1992, he was allotted an extent of Acs.5.00 in survey No.278/57 situated at Polkampalli village of Ibrahimpatnam Mandal in Ranga Reddy District, vide proceedings No.D2/1902/78, dated 26.5.1978 issued by the Tahsildar, Ibrahimpatnam, purportedly in accordance with the orders of the Government in G.O.Ms.No.1406. Petitioner is allegedly in possession of the land and personally cultivating the same. He also obtained necessary mutation in the record of rights and also Pattadar Pass Book (PPB) from the second respondent. He made representation on 27.12.2006 to the first respondent for survey and demarcation of the land so as to enable him to prevent encroachments. The same was forwarded to second respondent but still no survey was taken up till he filed the instant writ petition.

When the matter was heard on 25.6.2007, learned Assistant Government Pleader for Revenue (General-T) placed before this Court a communication addressed by the second respondent to the first respondent wherein he requested for posting of a regular Mandal Surveyor. A perusal of the said letter, a copy of which is placed before this Court, would show that there is no regular Mandal Surveyor in the office of the second respondent and that the surveyor deputed is attending duties only on select days and that due to non-availability of regular surveyor, this survey work could not be taken up. Therefore the learned Counsel sought time and filed an application to implead the Assistant Director, Survey & Land Records, as third respondent to the writ petition.

Today the matter is listed again for further hearing at the preliminary stage. After hearing learned Counsel for the petitioner and learned Assistant Government Pleader for Revenue (General-T), this Court is convinced that the delay if any on the part of the second

respondent is not culpable nor an act of lack of diligence. Now that the second respondent requested posting of regular Mandal Surveyor, the Assistant Director of Survey & Land Records, Ranga Reddy District, may look into the matter and take necessary action for posting regular Mandal Surveyor. If for any reason, this is not possible, third respondent should take up the survey work with the help of Mandal Surveyor and complete this exercise within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

July 09, 2007

NOTE:

Dispatch order copy by

13.7.2007.

(By order)

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